IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 30004 of 2007(V)

PETITIONER:

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1. C.G.PAUL, ASSISTANT ENGINEER,
   IRRIGATION SECTION, VAZHANI,
   THRISSUR DISTRICT.

2. V.K.JAGADAMMA, ASSISTANT DIRECTOR,
   HYDROLOGY DIVISION, THRISSUR - 20.

3. K.G.LYLA, HEAD DRAFTSMAN, PROJECT
   CIRCLE, IRRIGATION DEPARTMENT,
   PIRAVOM, ERNAKULAM DISTRICT.

4. GOPALAN P.S.,
   ASSISTANT ENGINEER, PVIP SECTION NO.III/1,
   BHOOTHATHANKETTU, ERNAKULAM DISTRICT.

5. V.K.SUCHITHRA, ASSISTANT ENGINEER,
   K.V.I.P MAINTENANCE SECTION B,
   PERUVANNAMOOZHI, KOZHIKODE.

6. P.M.RAGINI, HEAD DRAFTSMAN,
   IRRIGATION CENTRAL CIRCLE,
   THRISSUR.

7. E.ANANDAKRISHNAN, ASSISTANT ENGINEER,
   IRRIGATION SECTION, MANJAMKUZHI, PAZHAYI P.O.,
   THRISSUR DISTRICT.

8. K.P.SASI,
   ASSISTANG ENGINEER, MVIP SECTION I/IV,
   MANNATHOOR, KOOTHATTUKULAM P.O.,
   ERNAKULAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD

RESPONDENTS:
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1. STATE OF KERALA,
   REPRESENTED BY THE PRINCIPAL SECRETARY,
   WATER RESOURCES (A) DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
   IRRIGATION AND ADMINISTRATION,
   THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C) 30004 of 2007

Dated this the 10th day of October 2007

JUDGMENT

Petitioners are working as Assistant Engineers in the Water Resources Department. They are Diploma holders. The special rules for the Engineering servants prescribes a ratio of 3:1 between degree and diploma holders. The cadre strength of Assistant Engineers in the Water Resources Development is 336. Petitioners contend that if the ratio of 3:1 is applied, there should be 84 Assistant Executive Engineers under the diploma quota. Ext.P1 shows that there are only 69 Assistant Executive Engineers under the diploma quota currently in the Department. Therefore they are entitled to promotion as Executive Engineers under the Diploma quota, according to the petitioners. They have made their claims under Exts.P3 to P10 representations before the first respondent.

2. Having heard the learned counsel for the petitioners Dr.Satheesan and the learned Government Pleader, the writ

petition is disposed of directing the first respondent to look into Exts.P3 to P10 and consider the contention of the petitioners as to whether the cadre strength as regards the Assistant Executive Engineers under the diploma quota has actually been exceeded. First respondent shall take a decision on the claim made by the petitioners as contained in Exts.P3 to P10, within a period of two months from the date of receipt of a copy of this judgment. Necessary consequential orders shall be passed by the first respondent, if the petitioners' contention in Exts.P3 to P10 is found to be tenable, after hearing one among the petitioners and any other affected persons.

V.GIRI, JUDGE

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